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Paper 49

Filed: 28 October 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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GARY L. GREENFIELD, HARVEY A. KNELL,  
DAVID O. PHILIPS, and JAMES M. RETTERER

Junior Party

(Patent No. 5,687,799),

v.

ROBERT JOHN BROCKWAY

Senior Party

(Application No. 09/599,679).

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Patent Interference No. 105,806 (SCM)  
(Technology Center 3600)

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*Before JAMESON LEE, SALLY GARDNER LANE, and SALLY C.  
MEDLEY, Administrative Patent Judges.*

*MEDLEY, Administrative Patent Judge.*

**Judgment – Request for Adverse - Bd.R. 127(b)**

- 1 On 6 September 2011, Greenfield filed a request for adverse judgment.
- 2 (Paper 33). The request is GRANTED.
- 3 Accordingly, it is

1           **ORDERED** that judgment as to the subject matter of Count 1 (Paper  
2 1 at 4) is entered against Greenfield;

3           **FURTHER ORDERED** that claims 1, 5 and 6 of Greenfield's  
4 involved Patent 5,687,799, which correspond to Count 1, are CANCELLED,  
5 35 U.S.C. § 135 (a);

6           **FURTHER ORDERED** that judgment as to the subject matter of  
7 Count 2 (Paper 1 at 4) is entered against Greenfield;

8           **FURTHER ORDERED** that claims 7-10 of Greenfield's involved  
9 Patent 5,687,799, which correspond to Count 2, are CANCELLED;

10          **FURTHER ORDERED** that the parties shall note the requirements  
11 of 35 U.S.C. § 135(c) and Bd. R. 205; and

12          **FURTHER ORDERED** that a copy of this judgment be entered in  
13 the administrative records of the involved Greenfield Patent 5,687,799 and  
14 Brockway Application 09/599,679.

cc (via email):

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